

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 14-cv-65-wmc

LARRY A. MEISEGEIER,  
EMILY B. MEISEGEIER,  
WYMORE SEED AND FARM SUPPLY,  
MARSHFIELD CLINIC,  
DAVID KRUMREI & BONITA PERRY,  
SHELDON CO-OP SERVICES, and  
HERDSMAN FEEDS, INC.,

Defendants.

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**ORDER CONFIRMING SALE  
AND NOTICE OF SURPLUS**

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The report of the United States Marshal for the Western District of Wisconsin (dkt. #35), who was appointed by the judgment entered in the above action to make sale of the premises described in that judgment (dkt. #25), confirms that: (1) due notice of the application to confirm the report and sale was given by mail to all parties or their authorized representatives; (2) the United States Marshal in making the sale has complied with the judgment of foreclosure entered in this case and with the applicable statutes; and (3) the monies from the sale were sufficient to pay the whole amount awarded to the plaintiff, United States of America, together with interest and costs.

Now, therefore, on notice of application of Barbara L. Oswald, Assistant United States Attorney, Office of the United States Attorney for the Western District of Wisconsin, attorney for the plaintiff, and consistent with the hearing on that notice today,

IT IS ORDERED:

1. That the sale of the mortgaged premises involved in the above action to Cliff and Lynnette Brown, for the sum of \$172,000.00, and the United States Marshal's report of sale, are hereby in all things APPROVED AND CONFIRMED.

2. That upon the entry and filing of this Order with the Clerk of the United States District Court for the Western District of Wisconsin, and upon the payment of the balance due to the United States Marshal, the United States Marshal SHALL DELIVER the Deed for the premises involved in this action to:

Cliff and Lynnette Brown  
N6557 State Road 40  
Bruce, WI 54819-9592

3. That the United States Marshal's costs are as follows:

(a)	Fee	\$325.00
(b)	Mileage	<u>\$138.88</u>
	TOTAL EXPENSES	<u>\$463.88</u>

These expenses owed to the United States Marshal's Service are to be paid from the proceeds of the sale.

4. That the United States Attorney's costs are as follows:

(b)	Filing Fee	\$ 30.00
(c)	Publishing Fee	<u>\$202.40</u>

TOTAL EXPENSES            \$232.40

These expenses owed to the United States Attorney's Office are also to be paid by the United States Marshal from the proceeds of the sale.

5.        That the real estate transfer fee for recording the United States Marshal's Deed for the property is \$516.00. A check for this amount, payable to the Rusk County Register of Deeds, should be mailed by the United States Marshal to the purchaser listed in paragraph 2 above, along with the United States Marshal's Deed.

6.        Finally, to the extent not already accomplished, the United States Marshal shall satisfy the judgment of \$126,668.53 entered on October 2, 2014, and interest from date of judgment to March 18, 2015 totaling \$57.95 from the proceeds of the sale.

7.        After paying the judgment, interest and costs approved by this court from the proceeds of sale as set forth above, **a current surplus in the amount of \$44,061.24 after sale is DECLARED**, which sum shall be deposited by the United States Marshal with the Clerk of Court for the Western District of Wisconsin pending further order of this court.

8.        The clerk's office is directed to provide a copy of this order and notice to all parties and counsel of record.

9.        **Any party wishing to assert an interest in this surplus shall have FOURTEEN (14) DAYS FROM THE DATE OF THIS ORDER to file a written claim stating the amount, basis for the claim and, if applicable, any claimed priority.** The

court will hold an additional hearing on those claims, if necessary, and direct the Marshal as to satisfaction of any approved claim from the surplus.

10. **Any remaining surplus from the sale shall REVERT to Larry A. and Emily P. Meisegeier.**

Entered this 18th day of March, 2015.

BY THE COURT:

*/s/ William M. Conley*

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WILLIAM M. CONLEY  
United States District Judge  
Western District of Wisconsin